

Remarks/Arguments:

Claims 1-8, 10, 11, 13-16, 19 and 22-25 are pending and stand rejected. By this Amendment, claims 1, 13, 19 and 22 are amended and claims 24 and 25 are cancelled without prejudice. The subject matter of claims 24 and 25 have been incorporated into independent claims 1, 13 and 19.

No new matter is presented by the claim amendments. Support for the claim amendments can be found in the original specification and, for example, in the original specification at the paragraph spanning pages 25 and 26 and also the paragraph spanning pages 119 and 120.

Rejection of Claims 1-10, 11, 13-16, 19 and 22-25 under 35 U.S.C. §102(e)

In the Office Action, at item 3, claims 1-8, 10, 11, 13-16, 19 and 22-25 are rejected under 35 U.S.C. §102(e) as being anticipated by Chou (US Patent No. 6,330,499).

Reconsideration is respectfully requested.

Claim 1

Claim 1 is directed to a network system for effectuating data communication, and recites "a store display adapted to hold a plurality of products for sale to and accessible by a customer" and "a communication interface ... adapted to effectuate data communication of the in-vehicle data from said in-vehicle device to said data processing resource for selection of at least one of the products for sale."

That is, the store display is adapted to hold a plurality of products for sale and the communication interface effectuates communication of in-vehicle data for selection of at least one of the products for sale.

Chou Reference

The Office Action, at page 3, indicates that the claimed "store display accessible by a customer" corresponds to a dealer in figure 1 of Chou. The Office Action refers to column 5, lines 49-52, column 2, lines 53-55 and column 7, lines 55-60 of Chou for support. Applicant respectfully disagrees that Chou discloses or suggests "a store display." For the sake of expedient prosecution, however, Applicant has amended claim 1 for clarity.

Chou discloses a system and method for vehicle diagnostics and health monitoring. In Chou, a dealer 250 communicates with a vehicle 10. (See Chou at column 2, lines 53-55.) Further, in Chou, the service center 200 is optionally connected to the dealers network to provide services such as parts ordering. (See Chou at column 5, lines 49-52.) Chou, however, is silent regarding a store display that holds product and teaches away from **data communication** of the in-vehicle data, because Chou discloses that a service representative will arrange for vehicle service by consulting the driver and dealer service center and order out of stock parts. (See Chou at column, 7 lines 50-60.) This is because Chou discloses the use of a sales representative at a sales desk to order, for example, parts. In other word, Chou teaches human-to-human interaction, instead of "data communication of the in-vehicle data from said in-vehicle device to said data processing resource," as required by claim 1.

Thus, Chou is silent regarding anything related to a store display which is adapted to hold a plurality of products for sale and teaches away from data communication of the in-vehicle data for selection of at least one of the products for sale.

Accordingly, it is submitted that claim 1 is allowable over Chou for at least the above mentioned reasons and applicant respectfully request that the rejection of claim be withdrawn.

Claims 13 and 19

Claims 13 and 19, which include similar but not identical distinguishing features to those of claim 1, are submitted as allowable over Chou for at least similar reasons to those of claim 1. Accordingly, applicant respectfully requests that the rejection of claims 13 and 19 be withdrawn.

Claims 2-8, 10-11, 14-16 and 22-23

Claims 2-8, 10-11, 14-16 and 22-25, which include all the limitations of one of claim 1, 13 or 19, are also submitted as allowable over Chou for at least the same reasons as their respective independent claims. Accordingly, applicant respectfully requests that the rejection of claims 2-8, 10-11, 14-16 and 22-25 be withdrawn.

Claims 24 and 25

Claims 24 and 25 have been cancelled without prejudice.

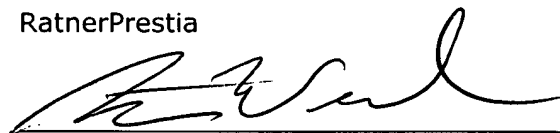
Accordingly, the rejection of these claims is now moot.

Conclusion

In view of the claim amendments and remarks set forth above, applicant contends the application is in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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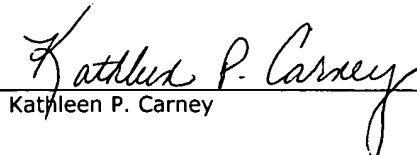
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